

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Ryan Laverne Barnhill

Docket No. 7:05-CR-69-1BO

Petition for Action on Supervised Release

COMES NOW Eddie J. Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ryan Laverne Barnhill, who, upon an earlier plea of guilty to 21 U.S.C. § 841(a)(1), Possession with the Intent to Distribute Cocaine Base (Crack), and 18 U.S.C. § 924(c)(1)(A), Possession of a Firearm in Furtherance of a Drug Trafficking Crime, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on March 9, 2006, to the custody of the Bureau of Prisons for a term of 135 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Ryan Laverne Barnhill was released from custody on March 25, 2013, at which time the term of supervised release commenced. On May 30, 2013, a violation report was submitted to the court reporting that the defendant tested positive for cocaine on May 25, 2013. As a result, the defendant was enrolled in substance abuse counseling and drug testing was increased. The court agreed to continue supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant submitted a urine sample on May 8, 2014, that tested positive for cocaine. When confronted with the results, the defendant signed an admission acknowledging his use of cocaine on May 6, 2014. The defendant reports this was an isolated incident that was related to his recent stress of being unemployed. Since testing positive for cocaine in May 2013, the defendant has completed substance abuse counseling and been compliant with the Surprise Urinalysis Program. He denies needing additional substance abuse counseling at this time. The probation officer feels that the defendant could benefit from a cognitive behavior program. Additionally, drug testing will be increased.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Eddie J. Smith
Eddie J. Smith
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: May 9, 2014

ORDER OF COURT

Considered and ordered this 9 day of May, 2014, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge